

National Conference on Public Trust and Confidence in the Justice System

- by Chief Justice Pascal F. Calogero, Jr.

In its final report submitted in early 1999, the Advisory Committee to the Louisiana Supreme Court's Consumer Research and Service Development Project addressed the major issues affecting citizens' perceptions of Louisiana courts. Based on the results of the first-ever comprehensive statewide Consumer Research Study commissioned by the Louisiana Supreme Court, the Advisory Committee ultimately provided recommendations for improving court performance in the areas of: fairness and equality, court delay, "soft on crime" perceptions, access to courts, child support enforcement, public education and judicial independence.

A National Conference on Public Trust and Confidence in the Justice System convened in Washington, D.C. May 13-15, 1999 with a similar objective. The conference, initiated and organized by the National Center for State Courts and co-sponsored by the Conference of Chief Justices, Conference of State Court Administrators, American Bar Association, and League of Women Voters, with funding from the State Justice Institute and the Bureau of Justice Assistance, was also a first.

I attended the conference along with three members of the Advisory Committee, Supreme Court Judicial Administrator Hugh M. Collins, Ph.D., Patrick S. Ottinger, then President of the Louisiana State Bar Association, and Jim Brandt, President of the Public Affairs Research Council. Along with teams from 45 states including 32 Chief Justices, 32 State Court Administrators and individuals representing state and federal courts, the media, the bar, court-related associations, and the public at large, we participated in an intensive strategic planning exercise to prioritize the steps needed to improve public trust and confidence in the courts.

Each state team helped to develop the agenda on the obstacles, strategies and barriers to building public trust and confidence in the justice system. The six most serious issues identified nationwide as affecting public trust and confidence were:

- Unequal treatment in the justice system
- High cost of access to the justice system
- Lack of public understanding
- Unfair and inconsistent judicial process
- Partisan v. merit selection of judges
- Poor customer relations with the public

Judicial isolation, lack of contact with the public, and lack of sound interbranch relations — closely followed.

The top six strategies identified by participants for addressing these and other issues were to:

- Improve internal and external education and training about the justice system



Chief Justice
Pascal F. Calogero, Jr.



Hugh M. Collins, Ph.D.



Patrick S. Ottinger



James C. Brandt

- Make courts more inclusive and outreaching
- Improve external communication
- Provide for swift, fair justice at a reasonable cost
- Share best practices and lessons learned between courts
- Implement gender, race and ethnic bias task force recommendations

Finally, the state teams voted on the national actions they thought would be most helpful in implementing these strategies. The top four choices were to:

- Develop and disseminate successful models and best practices
- Engage in public education at the national level
- Examine the role of lawyers and their impact on public trust
- Improve public access through information technology

Overall, the Louisiana state team believed that participation in the National Conference on Public Trust and Confidence was a valuable experience which reinforced the findings of the Advisory Committee and furthered our commitment to be more innovative and focused in our efforts to improve public trust and confidence in Louisiana courts.



C O R N E R

C O L L I N S



*Hugh M. Collins, Ph.D.
Judicial Administrator*

While thoughts of Y2K and millennium celebrations seem to be on everyone's mind these days, my mind is on a celebration of a different sort—Law Day May 1, 2000. Law Day 2000 is a terrific opportunity for Louisiana courts to reach out to their communities to help citizens recognize the role of law in our society and to help educate them about their legal rights and responsibilities. Please consider involving schools and colleges, law enforcement groups, the media, service organizations, the elderly, or business groups in a court-coordinated Law Day program. The wider the outreach, the greater the impact will be.

The Law Day 2000 theme is "Celebrate Your Freedom." The program possibilities are endless, and remember, Law Day observances can extend over several days or even weeks, and in fact, programs on the role of law in protecting our freedoms can be implemented year-round.

For those long on enthusiasm but short of ideas for designing a Law Day program, the American Bar Association publishes a Law Day Planning Guide which includes both program ideas and products to use in making your Law Day celebration a success. To order a Law Day Planning Guide by phone, call ABA Publications at (800) 285-2221 and access the ABA website at www.abanet.org/publiced/lawday for periodic Law Day updates.

Collins Receives AJA Award

Louisiana Supreme Court Judicial Administrator, Hugh M. Collins, Ph.D. received the 1999 American Judges Association's (AJA) Glenn R. Winters Award at the AJA annual conference in Cleveland, Ohio. The AJA has a membership of approximately 3,200, which includes both present and former judges of courts of all jurisdictions in the United States, Canada, Puerto Rico, Mexico, Guam, American Samoa and the Virgin Islands. The Glenn R. Winters Award is given to a lay person who has made a substantial contribution to improving the image of the judiciary.

Over his career of 25 years at the Louisiana Supreme Court, Collins has been active in many national organizations dedicated to improving the effective administration of justice. He has served most recently as President of the Conference of State Court Administrators, Vice-Chair for the National Center for State

Courts (NCSC) Board of Directors, Chair for the Advisory Committee to the NCSC Determining Judgeship Needs Project, as a member of the National Task Force on Criminal History Record Disposition Reporting and as a member of the Forum on the Advancement of Court Technology.

Collins received his B.S. degree from Boston College and his Ph.D. in Mathematics from Tulane University. He is also a graduate of the Institute for Court Management and a Fellow of the Loyola University Institute of Politics.

In 1990, Collins received the National Center for State Courts' Distinguished Service Award and in 1998, he was the recipient of the National Center for State Courts' Justice Warren E. Burger Society Award presented by U.S. Supreme Chief Court Justice William H. Rehnquist.

Justice Lemmon Hosts Russian Delegation

Five members of a Russian delegation of political and civic leaders visiting the United States to learn about American life and government were welcomed to the Louisiana Supreme Court by Justice Harry T. Lemmon. Justice Lemmon discussed Louisiana law and the Court's basic operations with program participants, Aleksey Sergeyevich Sirotiuk, Pavel Vasilievich Samylov, Igor Bogouslavski and their two interpreters from Moscow, as part of the federally funded Russian Leadership Program operated by the Library of Congress.



LAW DAY 2000 PLANNING SCHEDULE

Here is a timetable of key dates for Law Day planners:

OCTOBER 1999 - JANUARY 2000

Guidelines available for third annual "Images of Freedom" photo competition for students ages 12-18

NOVEMBER 1999 - MARCH 2000

Law Day Planning Guide distributed
Entry forms and guidelines distributed for
Law Day Activity Awards and Judge Finch Speech Contest

FEBRUARY 2000

Postmark deadline for entries to "Images of Freedom" competition

MAY 1, 2000 (on or around)

Law Day ceremonies and events

JUNE 10, 2000

Postmark deadline for entries to Law Day Activity Awards and Judge Finch Speech Contest



Jefferson Parish Courts Reduce No-Shows

Jefferson Parish courts are testing the Intensive Notification Program, an idea they hope will help courts monitor people awaiting sentencing and reduce the number of “no shows”—people who have been arrested but don’t show up for their court dates. By using a business voice-mail system, the new program will require some defendants who are released on bond to periodically call a computerized phone number to check in with the authorities and be advised by a recording of their next court date.

Judicial Commissioner Carol Kiff, who along with Judicial Commissioner Jeffrey Hand arraigns and sets bail for many of those arrested in Jefferson Parish, said, “District court judges far too often have to issue attachments for the arrest of those who miss court dates. This way they won’t have the excuse that

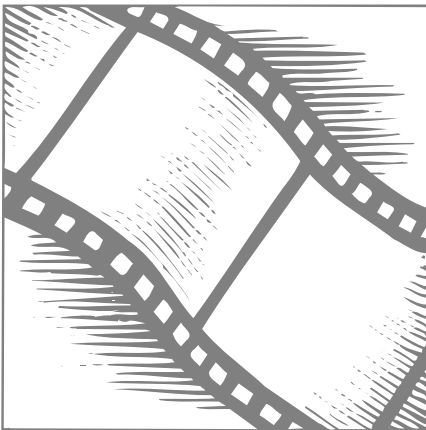
they’ve lost their subpoena or forgotten the court date.”

The commissioners can set the defendant’s participation at one of three levels, depending on how trustworthy the person is believed to be. Those in level one must call in once a month, those in level two must call in once a week, and those in level three are required to call every day. Participants are also charged fees—\$10 a month for level one, \$5 a week for level two and \$10 a week for level three. Those who are tardy in complying could have their level of participation increased, be placed on home incarceration monitoring through an electronic bracelet, or even ordered to jail to await trial.

To date, the Intensive Notification Program has cost \$2000 for the busi-

ness voice-mail system and requires minimal administration. For more information about the Intensive Notification Program contact Joe Denny, program administrator at (504) 364-3425.

Video Writ Conferencing



The Second Circuit Court of Appeal conducted its regularly scheduled writ conference on September 2, 1999, via video conference between Shreveport and Monroe. The opportunity to pilot the functionality of video conferencing equipment in an actual court conference was made possible through the cooperative assistance of Southern University Shreveport Metro Campus and Northeast Louisiana University in Monroe. The three-judge panel included Judges

James Stewart and Gay Gaskins, who participated in the conference using video conferencing equipment located on the Shreveport campus, and Judge Robert Kostelka, who participated using video conferencing equipment located on the Monroe campus.

According to Diana Pratt-Wyatt, Second Circuit Court of Appeal Clerk/Court Administrator, “the Second Circuit sees video conferencing as an effective tool that will enable judges of multi-parish courts to participate on a regular basis in routine court meetings, judicial discussions and emergency writ conferences without additional travel. Video conference technology can effectuate ‘virtual court’ operation which could make it possible in the future for attorneys to present oral argument by remote attendance.”

For more information about appellate court video writ conferencing, contact Diana Pratt-Wyatt at (318) 227-3702.

CYBER COURTS

American Bar Association
www.abanet.org

Council for Court Excellence
www.courtexcellence.org

Law Day Planning Guide
www.abanet.org/publiced/lawday

CyberSpace Law Center Web site
www.cyber-squirrel.com/clc/index.html

Courtroom 2000
www.co.la.ca.us/courts/superior-auc/lawday/Court.htm

U.S. Office on Juvenile Justice and Delinquency Prevention
www.ojjdp.ncjrs.org



Juvenile Justice News

Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr., Orleans Parish Juvenile Court Chief Judge Ernestine S. Gray and the Judges of Orleans Parish Juvenile Court recently announced that dramatic improvements in processing child abuse and neglect cases and technological advancements have taken place in Orleans Parish Juvenile Court. All of these improvements have been made possible through the New Orleans Collaborative for Timely Adoptions (NOCTA) grant.

The grant is a \$750,000 three-year federal Adoptions Opportunity Grant which, now in its third year, represents a collaborative effort by Orleans Parish Juvenile Court, the Louisiana Supreme Court, the Louisiana Department of Social Services—Office of Community Service (OCS), Court Appointed Special Advocates (CASA), the City of New Orleans, Alpha Consulting Group and Southern Data Solutions, Inc. to restructure the juvenile justice system in Orleans Parish.

“It was about two years ago that the New York Times ran an article proclaiming that Orleans Parish Juvenile Court was ‘the most troubled in the nation.’ Instead of getting defensive or retreating into denial, Orleans Parish Juvenile Court went to work to systematically improve itself by creating partnerships to seek federal grants and other assistance for restructuring the court,” Chief Justice Calogero said.

According to Judge Gray, two of the most sweeping delay reduction strategies have been implemented as a result of the NOCTA grant. They are: 1) the creation of a dedicated Child Protection Division, and 2) the development of an Integrated Juvenile Justice Information System (IJJIS).

The Child Protection Division is staffed by two judges, Judge Gray and Judge Lawrence Lagarde, who exclusively hear all cases involving abused and neglected children. The four other judges concentrate on juvenile crime and delinquency. This reform is aimed at reducing foster care drift by



Orleans Parish Juvenile Court Chief Judge Ernestine S. Gray

moving children more quickly from foster care into safe, permanent homes.

The streamlined procedures are credited for a drop in the average time from when children are removed from their homes to either adoption or return from 15 months to less than six months and the increase in adoptions filed from 111 in 1998 to 156 through the end of November 1999.

“After a year of operation, the Child Protection Division is moving closer to the ultimate goal of one judge/one family. We are now poised to more frequently review and track our cases, to know all of the family members and their representatives, and to avoid any repetition or delay in moving the cases forward,” Judge Gray said. “The statistics show our strategy is working. For example, we have drastically, reduced the time for moving a child protection case from the filing of the custody petition to the custody adjudication hearing from an average of 140 days in 1998 to the current average of 28 days. This represents a 65% overall reduction in time.”

The IJJIS, a state-of-the-art computer information system, is the technological component of the delay reduction strategy. It provides Orleans Parish Juvenile Court with the first-ever computerized system designed to integrate information specific to juvenile court cases. The IJJIS system will enhance case processing efficiency by integrating information from Orleans Parish Juvenile Court as well as other government and social service agencies. This collaboration

...Orleans Parish Juvenile Court was described as ‘the most troubled in the nation.’ Instead of getting defensive or retreating into denial, Orleans Parish Juvenile Court went to work to systematically improve itself by creating partnerships to seek federal grants and other assistance for restructuring the court.”

- Chief Justice Calogero



and sharing of information will enable the Court to have a more complete understanding of the circumstances affecting children and families in crisis. The IJJIS system is expected to be up and running in January 2000.

Other steps being taken in conjunction with the strategic plan to restructure the Court include total quality management and customer service training for staff as well as the creation of new rules, forms and procedures to support these innovations.

“Despite our large operating deficit and the cramped working conditions of our physical environment, Orleans Parish Juvenile Court is now viewed as an innovator in juvenile court improvement. Once being labeled ‘the most troubled court in the nation,’ we have recently been selected by the National Council of Juvenile and Family Court Judges as a ‘model court.’”

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-Judge Ernestine Gray

The Judges of Orleans Parish Juvenile Court



Chief Judge Ernestine S. Gray



Judge Mark Doherty



Judge Anita Gauchean



Judge Lawrence Lagarde



Judge Salvador T. Mulé



Judge C. Hearn Taylor

ORLEANS PARISH JUVENILE COURT REVAMPED Hearings, reviews and placements happening more quickly

Process	Old System	New System*
Average days from when a child is removed from home to adoption or return	462 days	167 days
Average time from filing a case to a hearing or trial	140 day	28 days
Average time from disposition hearing to first court review	152 days	71 days

* Numbers compare old cases with those filed since January 1, 1999, when the new system started.

Source: Orleans Parish Juvenile Court



Pillar of the Community: Judge William Byrnes, Fourth Circuit Court of Appeal

- By Elizabeth J. Rappaport
 ("Life in the Abstract" abridged, published June 24, 1997 in Gambit Weekly)

The Abstract Book Shop and Cafe, located in New Orleans, allows people with mental illness and addictions to run their own recovery program. If you go there you will meet a small man with muffed hair and rumpled garb known as "The Judge," a self-described eccentric who is in fact a real judge, presiding over it. He is the Honorable William Byrnes III of the Fourth Circuit Court of Appeal. The unusual story of The Abstract as a book shop-cafe-recovery program and a judge sets it apart.

The Abstract, also known as "Last Hope Recovery," is aptly named. It cannot be defined by standard mental health terminology. It can be said that The Abstract is the only New Orleans long-term residential program where people with a variety of illnesses all live together in a cluster of houses under one creed: you must have hope to become a more healthy and productive citizen. The Abstract employs no staff and receives no public funding. It is a "de-



Judge William Byrnes, III, (center) sits among colleagues on the Fourth Circuit Appeal.

mocracy" where, under the on-site supervision of Judge Byrnes (who acts as a volunteer director), residents make major decisions by voice-vote—from admissions to dismissals.

The Abstract is different because of The Judge himself. He brings a curious mix of absolute devotion and "tough love." Over the years The Judge and The Abstract have become one. He is there as much as any resident, if not more. He chauffeurs residents to work, to health clinics, to the video store and to the finest restaurants for food donations. He supervises their finances, oversees

meals, rations cigarettes, runs the mandatory 6 p.m. house meetings and is "on call" for residents at home or at court. Sometimes, he drives randomly through the city conducting one-on-one "car therapy" sessions with each resident. Other times, The Judge erupts,



Listed as next of kin, Judge Byrnes comforts Abstract resident dying from AIDS.

slaps his knee and yells at the residents, "Hit the bottom line!" Abstract residents call The Judge's grilling "getting a Byrnes" but they also know he is always there to give them encouragement and love.

"I learn courage and hope from everyone at The Abstract," Judge Byrnes said. "I've seen people actually get better here. One just graduated from Tulane, another runs a syrup business in Vermont. I don't know why The Abstract works. It just does."

Many of those who arrive at The Abstract have lived at other facilities. For most Judge Byrnes' program truly is their last hope. As Abstract resident Kevin Keane puts it, "In hospitals I was in, the staff worked their 40 hours and that was it. It's their job, but not their obsession. The Judge is obsessed like an over-protective father."

In addressing the problems of the mental health system, Judge Byrnes focuses on two main issues, "Legislatively, something must be done to require sufficient aftercare for people released from psychiatric facilities. I have seen too many people fall through the cracks at this stage. Academically, the typical law school curriculum must include courses in mental health and the law. Lawyers must become more familiar with mental health issues as they will encounter them both in civil and criminal law cases."

A 1999 Update on The Abstract

Since the publication of the "Life in the Abstract" article in Gambit Weekly, there have been some changes at The Abstract. For the first time the recovery program has received a grant from Unity for the Homeless to employ a licensed social worker with a background in the fields of mental health and chemical dependency. Also a number of needed renovations have taken place. Currently, the bookstore at 1302 Magazine Street is under renovation. Still the public is always welcome to stop by. If you do, look for The Judge because some things never change.



Stay On Court—Not In Court

City Court Judge Ann McIntyre likes to see the youth of **Winnsboro** on the tennis courts and not in her court. According to Judge McIntyre, “The game of tennis is a lot like life. If you break the rule, or hit a ball out of bounds, you have to pay the consequences. The same is true in life.”

In an effort to make the connection between tennis and life, and teach the basic skills of the lifetime sport, Judge McIntyre created “Stay On Court—Not In Court” as a free program for kids who normally may not have access to tennis. An avid tennis player herself, she designed the program, now in its second year, to highlight the benefits of recreation for kids and to provide kids with an alternative to getting into trouble. Judge McIntyre has even sentenced four youths who came before her bench to “serve time” in her tennis clinic.

“They came before me with minor offenses and I saw this as an opportunity to reach them creatively,” Judge McIntyre said.

Thanks to funding provided by THINK, Inc.—a local youth support organization, the Louisiana Tennis Association, the Winnsboro Rotary Club and Teen Court, this year’s “Stay On Court—Not In Court” program included a series of 12 lessons, given three times a week for four weeks to children in kindergarten through 12th grade. Over the course of the program 50 kids participated.

For more information about the Stay On Court—Not In Court program, contact Judge Ann McIntyre at (318) 435-4508.



Judge Ann McIntyre teaches tennis fundamentals to Stay On Court – Not In Court youths



Stay On Court – Not In Court “tennis pros”

Mock Trial Of Acadians vs. The Crown

For 12 years, Lafayette attorney Warren Perrin has been asking the Queen of England for an apology for deporting the Acadians, ancestors of 700,000 Louisiana people, from Canada in 1755. In

August, in a large U.S. District courtroom, Perrin’s case was presented in oral arguments before a stellar panel of Louisiana judges, including: **Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr.**; **Louisiana Supreme Court Justice Harry T. Lemmon**; **3rd Circuit Court of Appeal Chief Judge Ned Doucet**; **3rd Circuit Court of Appeal retired Judges Burton Foret and Edmond Guidry**; **15th JDC Judges Edward Rubin, Ward Fontenot and Byron Hebert**; **retired Rayne City Court Judge Denald Beslin** and **retired Lafayette City Court Judge Kaliste Saloom, Jr.** The Chief Judge of the panel was retired **15th JDC Judge Allen M. Babineaux**.

The question: whether Perrin’s petition against the Queen of England should be brought to trial? It was a mock court battle but

according to Judge Babineaux, “the Queen was lucky she wasn’t there. After Perrin’s attorney, John Hernandez, Jr., argued that the English were guilty of the ethnic cleansing of the Acadian people, the 500 people in attendance booed and hooted when the Queen’s barrister, Jean Ouellet presented her defense.”

The arguments were delivered in French, and Judge Babineaux delivered the verdict in French as well. Ultimately, the panel of judges ruled that Perrin’s claims warranted a trial.

The mock trial, sponsored by the Judge Allen M. Babineaux International Civil Law Symposium, the Louisiana State Bar Association, the American Bar Association, the Council for the

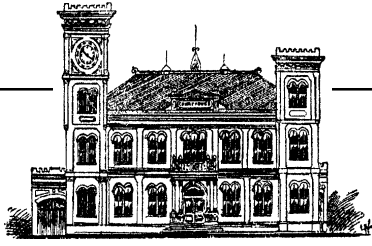
Development of French in Louisiana (CODIFIL), Schilling Distributors and Bodemuller The Printer, was part of the **Crongräs Mondial Acadien**.



Mock trial cast of characters - Jean Ouellet, David Mercantel, John Hernandez, Jr., Nicole Hernandez, John Hernandez, III and Warren Perrin.



Ipsa Facto



The drawing of the Algiers Courthouse is from *The Story of Algiers, 1718-1896* by Wm. H. Seymour, © 1971 used by permission of the publisher, Pelican Publishing Company, Inc.

IT'S A FACT!

The Algiers Courthouse, constructed in 1896, has new light fixtures in the courtroom and second floor hallway courtesy of an HBO film crew who filmed at the courthouse in November. The film crew was shooting a "Best Place to Kiss" episode for a Canadian cable TV show on the courthouse balcony. The public display of affection, which featured actors Jan Baily and Todd Ritchey, will air on a 30-minute weekly show on the Travel Channel. The show is expected to be seen by an estimated 33 million homes in the U.S. and Canada.



Times Picayune: Jennifer Zdon

YOUR HONORS

Louisiana Supreme Court Chief Justice Pascal F. Calogero, Jr.

received the Outstanding Judicial Award from Victims & Citizens Against Crime, Inc. for the fair and impartial manner in which



he conducts his judicial responsibilities and his commitment to ensure that the criminal justice system works for victims and the people of Louisiana.

Judge John E. Conery, 16th JDC,

recently completed the Judicial Writing course offered by the National Judicial College in Reno, Nevada. Judge Conery is pursuing a Masters in Judicial Studies degree (MJS).

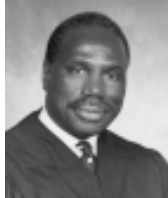


Judge Bonnie Jackson, 19th JDC, was inducted into the Hall of Fame of the Baton Rouge Chapter of the Louis A. Marinent Legal Society.



Judge Curtis Calloway, 19th JDC,

was named second vice president of the Baton Rouge Chapter of the Louis A. Martinet Legal Society.



Judge John Crigler, 6th JDC,

has been elected a fellow of the Louisiana Bar Foundation.



Retired Judge John S. Pickett, 11th JDC, became the second inductee to the Sabine Parish Hall of Fame. Inductees are Sabine Parish residents who have exhibited a lifetime of working for the betterment of the parish.

Congratulations! Louisiana Supreme Court law clerks admitted to the Louisiana Bar in October 1999 were: **Rebecca Boyett, Davis Cannella, Tara Kebodeaux, Chad Mollere, Lisa Shirley, and Pam Turgeau.**

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